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HAROLD BAER
U.S. DISTRICT JUDGE
S. D. N.Y.

January 7, 2008

By Facsimile

The Honorable Harold Baer, Jr.
United States District Judge
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Aleyn et al. v. Jean-Georges Enterprises, LLC et al., 07 cv 6276

Dear Judge Baer:

We represent the Defendants in the above referenced matter. We write to update Your Honor on the status of the private mediation discussed at our September 6, 2007 court conference. As you are aware, the parties selected a private mediator and since the last court conference have had an in-person mediation session with her and some follow-up telephone calls. However, to date, the parties have been unable to reach a resolution.

At the court conference in this matter on September 6, 2007, Your Honor had offered to act as a mediator in this matter. Defendants still believe this matter can be resolved before significant attorneys' fees are expended and resolution becomes more difficult because of those fees. Accordingly, Defendants respectfully request that Your Honor schedule a settlement conference in this matter.

We thank the Court in advance for its attention to this matter.

Respectfully submitted,

Elise Bloom / B.S.

Elise M. Bloom

cc: Maimon Kirschenbaum (via facsimile)

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*I'm glad to be my
hand if only if both sides
want me to and both sides
want to get rid of the matter
& both sides will submit
a 2-3 page ex parte letter
telling me where they are and what
they want to be - and I'll have the facts
as the set case if this is all OK
& we meeting in a date just checking
Call chambers for a date
Harold Baer Jr., U.S.D.J.
Date: 1/9/08*

Endorsement:

I'm glad to try my hand if and only if both sides want me to and both sides want to get rid of the matter and both sides will submit a 2-3 page ex parte letter telling me where they are and where they want to be and a paragraph about the facts as they see them - if this is all OK and you realize the PTSO remains in effect call Chambers for a date, first checking your own calendars.